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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,851	12/27/2001	John Wesley Moss	8285-459	9642

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EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/034,851

Applicant(s)

MOSS ET AL.

Examiner

Olisa Anwah

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 10-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 2645

**DETAILED ACTION**

***Election/Restrictions***

1. Claims 11-16 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 5.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 6 and 8 are rejected under 35 U.S.C. § 102(e) as being anticipated by Mitchell, U.S. Patent No. 5,651,053 (hereinafter Mitchell).

Art Unit: 2645

Regarding claim 6, Mitchell discloses a service node operable in a telecommunications system, the service node comprising first computer code to detect caller identification information for a call routed to the service node; second computer code to provide a caller identifier based on the detected caller identification information for a new call placed from the service node to a called communication station (30), the second computer code being further configured to produce a setup message for a call, the setup message including a calling party identification field set to the calling party directory number (1), a called party identification field set to a directory number associated with the called communication station (30) and a redirecting element field set to a predetermined directory number; third computer code to detect a call disposition option entered as a single key press by a called party at the called communication station; and fourth computer code to add a calling party directory number (10) determined from the detected caller identification information to a blocking list associated with the called communication station (see abstract).

Regarding claim 8, see abstract.

Art Unit: 2645

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-5 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Welch et al, U.S. Patent No. 6,510,217 (hereinafter Welch) in view of Mitchell, U.S. Patent No. 5,651,053 (hereinafter Mitchell).

Regarding claim 1, Welch discloses a call processing method in a telecommunications system, the method comprising receiving a call for a called communication station from a calling communication station; suspending the call; determining if call routing information for the call is marked presentation restricted or presentation unavailable; if the call routing information for the call is marked presentation restricted or presentation unavailable, passing the call to service logic implementing a privacy service for handling the call; if call routing information for the call is not marked presentation

Art Unit: 2645

restricted or presentation unavailable, initiating a new call to the called communication station (see Figures 6 and 7).

With further respect to claim 1, Welch fails to disclose providing a caller identification indication and call disposition options to the called communication station; detecting a call blocking option selected at the called communication station rejecting the call; and in response to the call blocking option, adding information about the calling communication station to a blocking list associated with the called communication station so that completion of subsequent calls from the calling communication station is blocked. However Mitchell discloses these limitations (see abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Welch with the providing, detecting and response steps taught by Mitchell. This modification allows a call block list to be modified as suggested by Mitchell.

Regarding claim 2, see abstract of Mitchell.

Regarding claim 3, see abstract of Mitchell.

Regarding claim 4, see abstract of Mitchell.

Regarding claim 5, see abstract of Mitchell.

Regarding claim 17, see abstract, Figure 1 and columns 2-3 from Mitchell. Also see Figures 6 and 7 of Welch.

6. Claims 7 and 9 are rejected under 35 U.S.C § 103(a) as being unpatentable over Mitchell in view of Frech et al, U.S. Patent No. 5,729,592 (hereinafter Frech).

Regarding claim 7, Mitchell teaches playing signals representative of audible speech to the called communication station as the caller identifier (see abstract). Mitchell does not disclose computer code to translate text of the detected caller identification information to signals representative of audible speech. However Frech discloses this limitation (see column 2). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mitchell with the translator taught by Frech. This modification would allow a caller's name to be played to a subscriber as suggested by Mitchell and Frech.

Claim 9 is rejected for the same reasons as claim 7.

#### ***Response to Arguments***

7. Applicant's arguments with respect to claim 1 are deemed to be moot in view of the new grounds of rejection. Regarding claim 6, Applicant incorrectly alleges Mitchell does not teach the second computer code being further configured to produce a setup message for a call, the setup message including a calling party

Art Unit: 2645

identification field set to the calling party directory number, a called party identification field set to a directory number associated with the called communication station and a redirecting element field set to a predetermined directory number. However according to columns 2 and 3 of Mitchell, "When a calling party [calling party identification] dials the phone number of a subscriber to the service, the call passes through the calling party's central office (CO) switch [calling party identification], into the network and to the subscriber's CO switch [called party identification]. That switch determines if the subscriber's phone number [directory number associated with the called communication station] has associated with it any special handling requirements or special services. A signal is then sent through the STP and into the SCP which determines the special handling requirements (including, in this case, that the call should be passed [redirection] to the (CSIP)). This intelligent peripheral processor then calls the subscriber's CO switch and passes through the required instructions for handling the call from the calling party [redirecting element field set to a predetermined directory number]...The SSP includes the software [computer code] that makes the CO switch smart enough to know that a specific subscriber has a special service or set of services. The CSIP includes the hardware and software



Art Unit: 2645

application [computer code] assisting in the delivery of the services provided by this invention. The SS7 is the signaling protocol that all nodes in the AIN use to pass information [setup message for a call] related to a telephone call...ISDN PRI/BRI lines transmit information packets relating to the calls coming and going out [setup message for a call]". Therefore Mitchell's software reads on the claimed "second computer code". The SS7 and ISDN PRI/BRI information taught by Mitchell is functionally equivalent to the claimed "setup message for a call". The subscriber's phone number of Mitchell is the same as the claimed "directory number associated with the called communication station". The calling party's CO switch taught by Mitchell shows existence of the claimed "calling party directory number". And Mitchell's required instructions for handling the call from the calling party reads on the claimed "redirecting element". Therefore Mitchell teaches all the claimed limitations as presently claimed in claim 1.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

Art Unit: 2645

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Application/Control Number: 10/034,851

Page 10

Art Unit: 2645

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A.

Olisa Anwah  
Patent Examiner  
March 26, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
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